

PHILLIP TALBERT  
United States Attorney  
MATHEW W. PILE, WSBA No. 32245  
Associate General Counsel  
Office of Program Litigation, Office 7  
Social Security Administration  
MARY TSAI, CSBN 216963  
Special Assistant United States Attorney  
6401 Security Boulevard  
Baltimore, MD 21235  
Telephone: 510-970-4864  
Facsimile: (415) 744-0134  
E-Mail: mary.tsai@ssa.gov  
Attorneys for Defendant

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

RAFAEL ESPINOZA,	)	Case No.: 1:23-cv-01499-JLT-BAM
	)	
Plaintiff,	)	STIPULATION FOR AN EXTENSION OF
	)	TIME; <del>PROPOSED</del> ORDER
vs.	)	
	)	
COMMISSIONER OF SOCIAL SECURITY,	)	
	)	
Defendant.	)	

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that the time for Defendant to respond to Plaintiff's motion for summary judgment be extended thirty (30) days from May 22, 2024, up to and including June 21, 2024. This is the parties' third stipulation for an extension of the Court's Scheduling Order, and Defendant's first extension.

This is Defendant's first request for an extension, and it is made with good cause. This case was recently reassigned to undersigned counsel for Defendant, along with another brief, both of which are due in mid to late May 2024. However, counsel has preplanned leave for three weeks of May, for both personal and medical reasons. Accordingly, Defendant requires an

1 extension in this case, and may require extensions in other cases, and requests this extension in  
2 good faith and with no intent to delay these proceedings unnecessarily.

3 The parties further stipulate that the Court's Scheduling Order shall be modified  
4 accordingly.

5  
6 Respectfully submitted,

7 Dated: May 3, 2024

/s/ Jonathan Omar Pena\*

JONATHAN OMAR PENA

Attorney for Plaintiff

*\*as authorized via e-mail on May 3, 2024*

10  
11 Dated: May 3, 2024

PHILLIP TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

Office of Program Litigation, Office 7

Social Security Administration

15 By: /s/ Mary Tsai

MARY TSAI

Special Assistant U.S. Attorney

Attorneys for Defendant

**ORDER**

Pursuant to the parties' stipulation and good cause appearing, IT IS SO ORDERED that Defendant shall have an extension, up to and including **June 21, 2024**, to respond to Plaintiff's Opening Brief.

IT IS SO ORDERED.

Dated: **May 6, 2024**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE